

Remarks

Claims 8 and 12 are cancelled and claims 13 and 14 are added. Claims 9 to 11 are amended. Claims 9 to 11, 13 and 14 are pending in this application of which claims 13 and 14 are in independent form.

Claims 9 to 11 were objected to for the reasons set forth on page 2, paragraph 3, of the action. These claims are amended herein as required by the Examiner.

Claims 9 and 10 were rejected under 35 USC 112, second paragraph, because there was insufficient antecedent basis for the limitations "the supply voltage" and "the electrical systems" set forth in these claims. The claims are amended so that the proper antecedent basis is provided and the claims should now be definite as required by the statute.

Claims 8 to 12 were rejected under 35 USC 102(b) as being anticipated by Bota. Claims 13 and 14 replace claims 8 and 12, respectively, and the following will show that claims 13 and 14 patentably distinguish the invention over this reference.

Before discussing Bota, the applicants will briefly review their invention.

The applicants' invention is directed to a method and an arrangement for ensuring the standstill of a motor vehicle which is braked to standstill under the action of a road speed controller. To ensure the standstill, the parking brake function is built up for an active road speed controller and detected standstill and a transmission is switched into the neutral or park position. In addition, the road speed controller is

deactivated. A transmission shift into the drive position, for example, and/or a disengagement of the parking brake function is only again undertaken when the driver issues a start-drive command.

Turning now to Bota, it can be seen from column 5, starting at line 33, that when a vehicle comes to standstill under the braking action and the transmission is in its drive position, a shifting of the transmission into the neutral position takes place and brake pressure is maintained in the individual wheel brake cylinders. When the brakes are released by the driver, the parking brake function is disabled and there is a movement out of the neutral position (please see FIG. 4, steps S7, S9). In this way, the problem occurs that when the brake command is withdrawn, the measures for ensuring standstill are likewise withdrawn so that the further standstill of the vehicle is not ensured. In Bota, already the release of the pedal leads to a disengagement of the brake force so that the object of the applicants' invention cannot be realized.

Nowhere in Bota is there any suggestion for ensuring standstill in combination with a road speed control which can brake the vehicle all the way to standstill. This is positively set forth in the applicants' invention with the method steps of:

"braking the vehicle to standstill
with said road speed controller of said
vehicle;"

In view of the foregoing, applicants submit that added claim 13 patentably distinguishes the invention over Bota and should be allowable. Claims 9 to 11 are all dependent from claim 13 so that these claims too should now be allowable.

Claim 14 parallels claim 13 in an apparatus context so that this claim too should be allowable.

Reconsideration of the application is respectfully requested.

Respectfully submitted,



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Version with Markings to show Changes made:

In the Claims:

Please cancel claims 8 and 12 and amend claims 9 to 11 as follows:

9. (Amended) The method of [claim 8,] claim 13, wherein said vehicle includes a supply voltage unit for supplying a supply voltage and electrical systems, the method comprising [the] a further step of maintaining the parking brake braking force even
5 when the supply voltage for the electrical systems of the vehicle is switched off.

10. (Amended) The method of [claim 8,] claim 13, comprising [the] a further step of maintaining the neutral position or the park position of the transmission when the supply voltage for the electrical systems of the vehicle is switched off; and, only then
5 leaving the position of the transmission when [a] the start-drive command of the driver is recognized.

11. (Amended) The method of [claim 8,] claim 13, comprising [the] a further step of interrupting the force flow after a predetermined time has elapsed after detection of standstill.